



Linda S. Adams
Secretary for
Environmental
Protection

California Environmental Protection Agency

Air Resources Board • Department of Pesticide Regulation • Department of Toxic Substances Control
Integrated Waste Management Board • Office of Environmental Health Hazard Assessment
State Water Resources Control Board • Regional Water Quality Control Boards



Arnold Schwarzenegger
Governor

September 8, 2006

Certified Mail: 7003 1680 0000 6174 7572

Michael Israel, Deputy Director
Amador County Environmental Health
810 Court Street
Jackson, CA 95642

Dear Mr. Israel:

The California Environmental Protection Agency (Cal/EPA), Office of Emergency Services, Office of the State Fire Marshal, Department of Toxic Substances Control, and the State Water Resources Control Board conducted a program evaluation of Amador County Environmental Health's Certified Unified Program Agency (CUPA) on February 22 and 23, 2005. The evaluation was comprised of an in-office program review and field inspections. The state evaluators completed a Certified Unified Program Agency Evaluation, Summary of Findings with your agency's program management staff, which includes identified deficiencies, preliminary corrective actions and timeframes. Two additional evaluation documents are the Program Observations and Recommendations and the Examples of Outstanding Program Implementation. These documents and Amador County's responses were used to complete the attached final Evaluation Report.

I have reviewed the enclosed copy of the final Evaluation Report, which includes information from all of the evaluation documents, and I find that Amador County Environmental Health's program performance is unsatisfactory with improvement needed. In Amador County's April 8, 2005 response to the Summary of Findings, a significant number of corrective actions were described as being incorporated into Amador County's CUPA program. Please provide an update on those corrective actions by October 6, 2006. After receiving your update, the evaluation team leader, Tina Gonzales, will coordinate with your agency to track the correction of any remaining identified deficiencies through quarterly reports of your progress.

Michael Israel
September 8, 2006
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Thank you for your continued commitment to the protection of public health and the environment. If you have any questions or need further assistance, you may contact Jim Bohon, Manager, Cal/EPA Unified Program at (916) 327-5097 or jbohon@calepa.ca.gov.

Sincerely,

A handwritten signature in black ink, reading "Don Johnson". The signature is written in a cursive style with a large, looped "D" and a long, sweeping underline.

Don Johnson
Assistant Secretary
California Environmental Protection Agency

Enclosures
cc: See next page

Michael Israel
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Linda S. Adams
Secretary for
Environmental
Protection

STATE OF CALIFORNIA

ENVIRONMENTAL PROTECTION AGENCY



Arnold Schwarzenegger
Governor

**EVALUATION REPORT
FOR
AMADOR COUNTY ENVIRONMENTAL
HEALTH DEPARTMENT
CERTIFIED UNIFIED PROGRAM
AGENCY**

September 8, 2006

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I. Introduction

Portions of the hazardous materials and hazardous waste management programs in California are implemented through the Unified Program. These are implemented at the local level through Certified Unified Program Agencies (CUPAs). The Unified Program consolidates six environmental program elements. The six program elements consolidated under the Unified Program are:

1. Hazardous Waste Generator Program and the Hazardous Waste Generator Onsite Treatment activities (HWG/TP);
2. Aboveground Storage Tank Spill Prevention Control and Countermeasure Plan (AST/SPCC);
3. Underground Storage Tank Program (UST);
4. Hazardous Materials Release Response Plans and Inventories Program (HMRRP);
5. California Accidental Release Prevention Program (CalARP); and,
6. Uniform Fire Code Hazardous Materials Management Plans and the Hazardous Materials Inventory Statement (HMMP/HMIS).

The Secretary for Environmental Protection (Secretary) is mandated to periodically review the ability of CUPAs to carry out their obligations to adequately implement the Unified Program. The statute and regulations mandate a CUPA to meet minimum requirements.

The Secretary, in partnership with the Governor's Office of Emergency Services (OES), the State Water Resources Control Board (SWRCB), the Office of the State Fire Marshal (OSFM), and the Department of Toxic Substances Control (DTSC) conducted an office visit of Amador County Environmental Health CUPA on February 22 and 23, 2005. In assessing the performance of the Amador County Environmental Health, the evaluators used the CUPA evaluation checklists.

This evaluation report is intended to recognize the abilities and resources of the CUPA, to ensure compliance with the performance standards, and to provide feedback for continuous improvement of the Unified Program.

II. Executive Summary

Unified Program Findings

- ☐ Meets or Exceeds Performance Standards
- ☐ Satisfactory With Some Improvement Needed
- ☒ Unsatisfactory With Improvement Needed

The Amador County Environmental Health CUPA has not demonstrated satisfactory implementation of the Unified Program. The CUPA has failed to implement critical performance standard requirements for the Unified Program. A check mark in any performance standard listed below indicates the areas where deficiencies have been identified. The deficiencies identified during the evaluation are contained in the findings section below.

Program Evaluation Findings

	Deficiencies Identified
Unified Program Administration	[X]
Hazardous Materials Release Response Plans & Inventories	[X]
Hazardous Materials Management Plan/Inventories	[X]
California Accidental Release Prevention Program	[X]
Underground Storage Tank Program	[X]
Aboveground Storage Tank Program	[]
Hazardous Waste Generator/Tiered Permitting Program	[X]

Findings

Self-Audit:

- The CUPA is not completing Self-Audits by September 30th each year.

Administrative:

- The CUPA's Permit Procedures Plan does not include a flow chart including time lines and an appeals process.
- The CUPA's Permit Procedures Plan does not contain addenda that will be used to document permit conditions for each applicable element of the Unified Program.
- The CUPA does not have AEO forms incorporated in their Inspection and Enforcement Plan.
- The CUPA's Area Plan does not contain all the required elements.
- The CUPA does not have a process and timeframes to follow for correction of deficiencies in the Business Plan program.
- The CUPA is not requiring businesses, subject to the hazardous materials reporting requirements, to annually submit their hazardous material inventory or certification statement.
- The CUPA has not established a dispute resolution procedure.

- The CUPA is not fully implementing the CalARP Program for all stationary sources.
- The CUPA has determined that stationary source(s) may pose an accident risk and has not requested the preparation and submission of all RMP(s).
- The CUPA is not ensuring the owners/operators update their RMPs or OCA as required.
- The CUPA is not verifying updates and revalidation to the PHA or Hazard review at least every three years.
- The CUPA is not verifying that the owner/operator has conducted a compliance audit at least every three years.

Permitting:

- UST facility files reviewed either lacked plot plans, or the plot plans did not contain all the required elements.
- The UST operating permit does not have a statement that the operating permit including the monitoring, response, and facility plot plans are to be maintained on site.

Reporting:

- The CUPA is not completing Summary Reports by September 30th of each year. The 01/02 and 02/03 Summary Reports were filed late, January 31, 2003 for 01/02, and December 19, 2003 for 02/03 fiscal years.

Inspection:

- The CUPA is not inspecting all the businesses subject to the business plan program for compliance at least once every three years.
- The CUPA is not auditing stationary sources.
- The CUPA has not conducted any inspections of hazardous waste generators within its jurisdiction over the past triennial cycle.
- The CUPA did not provide a summary of violations/notice to comply to the business at the end of the oversight inspection during the date of inspection.

Enforcement

- The CUPA does not have current technical staff trained in writing enforcement orders.
- The CUPA is not requiring businesses, subject to the hazardous materials reporting requirements, to annually submit their hazardous material inventory or certification statement.
- The CUPA is not enforcing the failure of a business to certify the review and update of their entire business plan every three years.

III. A. Background

Amador County Environmental Health became a CUPA with no Participating Agencies on January 1, 1998. Prior to certification, Amador County Environmental Health implemented the Underground Storage Tank Program, the Hazardous Materials Release Response Plans and Inventories Program, and the Risk Management Prevention (RMPP) program elements. Upon certification, the CUPA became responsible for the implementation of the Uniform Fire Code Hazardous Materials Management Plan and the Hazardous Materials Inventory Statement, the Hazardous Waste Generator Program and the Hazardous Waste Generator Onsite Treatment activities, and the Aboveground Storage Tank Spill Prevention Control and Countermeasure Plan program elements.

III. B. General Information

Name of CUPA: Amador County Environmental Health Department

Address: 500 Argonaut Lane
Jackson, CA 95642

Telephone Number: (209) 223-6439

Date of Certification: January 1, 1998

Date of Implementation: January 1, 1998

Evaluated By: Tina Gonzales, Team Leader
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Evaluation Dates: February 22 & 23, 2005

CUPA Representative(s): Robert Fourt, Registered Environmental Health
Specialist III

Michael Israel, Deputy Director

IV. A. Unified Program Administration

Program Findings

- ☐ Meets or Exceeds Performance Standards
- ☐ Satisfactory With Some Improvement Needed
- ☒ Unsatisfactory With Improvement Needed

The Amador County Environmental Health CUPA has not demonstrated satisfactory administration of the Unified Program. The CUPA has failed to implement critical performance standard requirements for the administration of the Unified Program. A check mark in any performance standard listed below indicates the areas where deficiencies have been identified. The deficiencies identified during the evaluation are contained in the findings section below.

Program Summary

Report Findings

Self-Audit	<input checked="" type="checkbox"/>
Administrative	<input checked="" type="checkbox"/>
Permitting	<input checked="" type="checkbox"/>
Inspection	<input checked="" type="checkbox"/>
Enforcement	<input checked="" type="checkbox"/>
Single Fee System/Fee Accountability	<input type="checkbox"/>
Reporting	<input checked="" type="checkbox"/>
Ongoing Training	<input type="checkbox"/>

Findings

Self Audit Standards

1. **Deficiency:** The CUPA is not completing Self-Audits by September 30th each year as required.

Standard: Title 27, Sections 15280(a)(1)(A), 15280(a)(1)(B), 15280(a)(2), and 15280(a)(7), state: A self-audit is an evaluation conducted by the CUPA of its annual Unified Program activities and includes an evaluation of any participating agencies or other contracting agencies. The CUPA shall conduct an annual self-audit at the end of each state fiscal year, July 1 through June 30 of each year. Annual self-audit reports shall be completed by September 30 of each year. The self-audit shall address at a minimum all program elements including the periodic evaluation of participating agencies, and a report of deficiencies with a plan of correction. The first self-audit report shall be produced by September 30 following a full year of operation as a CUPA and shall be maintained on file by the CUPA for a period of five (5) years. Upon written request of the Secretary or a state agency responsible for overseeing one or more program elements, the CUPA shall forward the

self-audit to the person or agency making the request upon 60 days notice, and will contain a summary of new programs being included in the Unified Program.

CUPA Response: Self-Audits will be completed by September 30th of each year as required.

Final Findings: The CUPA must complete the required Self Audits by September 30th of each year, and provide copies to Cal/EPA when requested prior to evaluations. The next self audit is due for completion by September 30, 2006. The CUPA will forward a copy of the self audit to the team leader.

Administrative Standards

1. **Deficiency:** The CUPA's Permit Procedures Plan does not include a flow chart including time lines and an appeals process.

Standard: Title 27, Section 15190(c)(2) states: The applicant agency, in conjunction with its proposed participating agencies, shall develop and the CUPA, in conjunction with the participating agencies, shall implement a Consolidated Permit Program Plan. The Consolidated Permit Program plan shall include: A flow chart describing the Unified Program's permitting procedures including time lines and time limits of appeals processes.

CUPA Response: A revised CUPA Permit Procedures Plan Manual will contain a flow chart with time lines and appeals process as provided in Amador County Municipal Code Chapter 2.06 Code Enforcement.

Final Findings: The CUPA shall revise their CUPA Permit Procedures Plan Manual to add the flow chart with time lines and appeals process and to forward a copy of the flow chart with time lines and appeals process to the evaluation team leader by October 6, 2006.

2. **Deficiency:** The CUPA's Permit Procedures Plan does not contain addenda that will be used to document permit conditions for each applicable element of the Unified Program.

Standard: Title 27, Section 15190(c)(4) which states: The applicant agency, in conjunction with its proposed participating agencies, shall develop and the CUPA, in conjunction with the participating agencies, shall implement a Consolidated Permit Program Plan. The Consolidated Permit Program plan shall include the following elements: Addenda which will be used to document permit conditions for each applicable element of the Unified Program.

CUPA Response: A revised CUPA Permit Procedures Plan Manual will contain an addenda that will be used to document permit conditions for each applicable element of the Unified Program. A file review checklist will be created and added to the individual files to ensure that all required documents are located in the file.

Final Findings: The CUPA shall develop addenda to document permit conditions for each applicable element of the Unified Program and a file review checklist. The CUPA shall then forward a copy of the permit conditions addenda and file review checklist to the evaluation team leader by October 6, 2006.

3. **Deficiency:** The CUPA does not have AEO forms incorporated in their Inspection and Enforcement Plan.

Standard: [EO-02-003-PP] CUPA Forum Board position which refers to the Administrative Enforcement Order Workplan Agreement between the California Environmental Protection Agency, the Department of Toxic Substance Control, and the California CUPA Forum.

CUPA Response: AEO forms will be made readily available and placed on the web site.

Final Findings: The CUPA shall incorporate the AEO forms into their Inspection and Enforcement Plan, place on their web site, and forward to the evaluation team leader the copies of the sections with the incorporated materials within them by October 6, 2006.

Enforcement Standards

1. **Deficiency:** The CUPA does not have current technical staff trained in writing enforcement orders.

Standard: Title 27, Section 15260(a)(3)(B)(v), which states: In the application for certification each applicant agency shall present evidence that adequate technical expertise is possessed by staff. Agencies that will seek certification as a CUPA are also required to meet the following minimum qualifications: CUPA technical program staff and supervisors who are involved in specific activities associated with oversight of the local Unified Program requirements shall meet minimum hours of training or experience requirements contained in subdivision (d)(3)(B) of this section, for all the following subject areas: Conducting inspections and enforcement actions, and writing inspection reports and notice of violation.

CUPA Response: Current technical staff will be trained in writing enforcement orders as training becomes available.

Final Findings: CUPA staff shall seek out and attend training as needed to be able to write enforcement orders in the course of their work. Staff shall also keep track of their training courses completed and log their training into a department database or other such tracking system to show each individuals training over the years. The CUPA shall report the training status to the team leader by October 6, 2006.

Reporting Standards

1. **Deficiency:** The CUPA is not completing Summary Reports by September 30th of each year. The 01/02 and 02/03 Summary Reports were filed late, January 31, 2003 for 01/02, and December 19, 2003 for 02/03 fiscal years.

Standard: Title 27, Section 15290(a)(1), 15290(a)(2), and 15290(a)(3), which states: (a) The CUPA shall submit the following reports for the previous fiscal year to the Secretary by September 30 of each year. The first reports shall be submitted by September 30 following a full State fiscal year of operation as a CUPA.

(1) The Annual Single Fee Summary Report using Report 2. It includes:

(A) The amount of the single fee billed and the amount collected.

(B) The amount of any funds due to participating agencies and the amount actually transmitted.

(C) The amount of surcharge billed, the amount of surcharge waived, and the amount of surcharge collected for each of the following categories:

(i) CUPA Oversight

(ii) Regulated underground tanks

(iii) California Accidental Release Prevention program

(D) If the CUPA believes that the number of regulated businesses will change significantly in the current year or in the next year, then estimates of those changes for each program element will be provided in a cover letter with Report 2.

(E) A count for the year of the report of the total regulated businesses, underground storage tank facilities, underground storage tanks, onsite hazardous waste treatment facilities (permit by rule, conditionally authorized, and conditionally exempt), CalARP program stationary sources, waivers granted to stationary sources, and businesses subject to the CalARP program surcharge.

(2) Annual Inspection Summary Report, using Report 3, provides summary information for each program element. The hazardous waste element is separated into parts for generators, large quantity generators, recyclers, and onsite treatment as shown on Report 3. The summary information includes the number of regulated businesses, total number of inspections, routine inspections, other inspections, and the inspected businesses that returned to

compliance within established standards after routine inspections. Established standards vary by program element and are found in either state law or regulations, or the CUPA may adopt more stringent standards by local ordinance or in its application for certification. The report also collects total counts (not by program element) for these types of inspections: combined routine, joint, and integrated/multi-media; and a count of Risk Management Plan audits for the CalARP program.

(3) Annual Enforcement Summary Report, using Report 4, provides summary information for each program element. The hazardous waste element is separated into parts for generators, large quantity generators, recyclers, and onsite treatment, as shown on Report 4. The summary information includes the number of facilities with violations by type of violation; the number of informal enforcement actions; the total number of administrative actions, civil and criminal referrals and enforcement actions, and the total amount of fines and penalties initially assessed and collected. For the Class I and II violations within the hazardous waste program, it also provides a count of the total number of formal enforcement actions that were initiated within 135 days from the first day of a routine inspection or after making a determination of the violations for a complaint investigation. (This last count excludes minor violations).

CUPA Response: CUPA Summary Reports will be completed by September 30th of each year as required. The 2004 Summary Report was submitted on time.

Final Findings: The CUPA shall complete all Summary Reports and forward to Cal/EPA by September 30th of each year. The next Summary Reports will be due to Cal/EPA by September 30, 2006.

IV. B. Hazardous Materials Release Response Plans and Inventories Program

Program Findings

- ☐ Meets or Exceeds Performance Standards
- ☐ Satisfactory With Some Improvement Needed
- ☒ Unsatisfactory With Improvement Needed

The Amador County Environmental Health Department CUPA has not demonstrated satisfactory implementation of the Hazardous Materials Release Response Plans and Inventories program element. The CUPA has failed to implement critical performance standard requirements for the Hazardous Materials Release Response Plans and Inventories. A check mark in any performance standard listed below indicates the areas where deficiencies have been identified. The deficiencies identified during the evaluation are contained in the findings section below.

Program Summary

Report Findings

Administrative	<input checked="" type="checkbox"/>
Inspection	<input checked="" type="checkbox"/>
Enforcement	<input checked="" type="checkbox"/>
Reporting	<input type="checkbox"/>

Findings

Administrative Standards

1. **Deficiency:** The CUPA's Area Plan does not contain all the required elements.

Standard: HSC, Section 25503 (c)

An administering agency shall establish an area plan for emergency response to a release or threatened release of a hazardous material within its jurisdiction. An area plan is not a statute, ordinance, or regulation for purposes of Section 669 of the Evidence Code. The standards for area plans in the regulations adopted pursuant to subdivision (a) shall provide for all of the following:

- (1) Procedures and protocols for emergency rescue personnel, including the safety and health of those personnel.
- (2) Preemergency planning.
- (3) Notification and coordination of onsite activities with state, local, and federal agencies; responsible parties, and special districts.
- (4) Training of appropriate employees.
- (5) Onsite public safety and information.
- (6) Required supplies and equipment.

- (7) Access to emergency response contractors and hazardous waste disposal sites.
- (8) Incident critique and followup.
- (9) Requirements for notification to the office of reports made pursuant to Section 25507.

CUPA Response: The CUPA Area Plan will be amended to contain all required elements.

Final Findings: The CUPA will review the area plan and make necessary revisions, addressing the required elements described in Title 19, Sections 2722-2728. Submit to the OES evaluator a copy of the area plan and a letter certifying that the review has been completed and any necessary changes have been made.

2. **Deficiency:** The CUPA does not have a process and timeframes to follow for correction of deficiencies.

Standard: HSC, Section 25505 (a) (2) If, after review, the administering agency determines that the handler's business plan is deficient in any way, the administrative agency shall notify the handler of those deficiencies. The handler shall submit a corrected business plan within 30 days from the date of the notice.

CUPA Response: Existing Amador County Municipal Code Chapter 2.06 Code Enforcement provides a process and timeframes for correction of deficiencies.

Final Findings: The CUPA's response addresses the deficiency.

Inspection Standards

1. **Deficiency:** The CUPA is not inspecting all the businesses subject to the business plan program for compliance at least once every three years.

Standard: HSC, Section 25508(b)

In addition to the requirements of Section 25537, the administering agency shall conduct inspections of every business subject to this article at least once every three years to determine if the business is in compliance with this article.

CUPA Response: The CUPA will inspect all the businesses subject to the business plan program for compliance at least once every three years.

Final Findings: The CUPA shall inspect all the businesses subject to the business plan program as least once every three years.

Enforcement Standards

1. **Deficiency:** The CUPA is not requiring businesses, subject to the hazardous materials reporting requirements, to annually submit their hazardous material inventory or certification statement.

Standard: HSC, Section 25501(g) (3)

HSC, Section 25501(g)(3) states the UPAs have the responsibility and authority, to the extent provided by this chapter and Sections 25404.1 and 25404.2, to implement and enforce the regulations adopted to implement the requirements of this chapter listed in paragraphs (4) and (5) of subdivision (c) of Section 25404.

Title 19, Section 2729.4

- (a) A business shall submit a hazardous materials inventory to the appropriate CUPA or AA and local fire agency.
- (b) The hazardous materials inventory shall be submitted annually on or before March 1.
- (c) Businesses may choose to submit an inventory utilizing the forms specified in Section 2729.2 of this article or an alternate version developed by the CUPA or AA for their jurisdiction.
- (d) Businesses shall submit an amendment to the inventory within 30 days of the following events:
 - (1) A 100 percent or more increase in the quantity of a previously disclosed material.
 - (2) Any handling of a previously undisclosed hazardous material subject to the inventory requirements of this chapter.
 - (3) Change of business address.
 - (4) Change of business ownership.
 - (5) Change of business name.

Title 19, Section 2729.5

- (a) If no change in an inventory has occurred, a business subject to the hazardous materials reporting requirements may comply with the annual inventory reporting requirements of Section 2729.4 by submitting a certification statement to the CUPA or AA if all the following apply:
 - (1) The business has previously filed the hazardous materials inventory pursuant to Section 2729.2 and 2729.3 requirements.
 - (2) The business owner or officially designated representative signs and attests to these statements:

- (A) The information contained in the hazardous materials inventory most recently submitted to the CUPA or AA is complete, accurate, and up to date.
 - (B) There has been no change in the quantity of hazardous materials reported in the most recently submitted inventory.
 - (C) No hazardous materials subject to inventory requirements are being handled that are not listed on the most recently submitted inventory.
- (3) The business is not utilizing the submission of this certification to meet the annual inventory submission requirements of EPCRA (Section 11022 of Title 42, United States Code).
- (b) If a change in the hazardous materials inventory has occurred, a business subject to the hazardous materials reporting requirements may comply with the annual inventory reporting requirements by submitting the following:
- (1) Signed Business Owner/Operator page for the current reporting year.
 - (2) Updated Chemical Description pages showing additions, deletions, or revisions to previously submitted hazardous materials inventory.
- (c) Notwithstanding Section 2729.5 (a) and (b) facilities subject to EPCRA must, annually submit the following, whether a change has occurred or not:
- (1) Business Activities page of the Unified Program Consolidated Form.
 - (2) Signed Business Owner/Operator page for the current reporting year.
 - (3) Chemical Description page for each federally listed Extremely Hazardous Substance (EHS) handled in quantities equal to or greater than applicable Federal Threshold Planning Quantities or 500 pounds, whichever is less.
- (d) Businesses may submit data from the hazardous materials inventory to a CUPA or AA electronically, if the CUPA or AA agrees to accept it electronically, utilizing the means specified in CCR Title 27, Section 15187.

CUPA Response: The CUPA will meet the requirements of the annual hazardous material inventory or certification statement reporting by including the hazardous material inventory or certification statement as part of the annual permit renewal and fee invoicing.

Final Findings: The CUPA will enforce the business plan program for all regulated businesses, and will develop a mechanism to require businesses, subject to the hazardous materials reporting requirements, to

annually submit their hazardous material inventory or certification statement.

2. **Deficiency:** The CUPA is not requiring a business to certify the review and update of their entire business plan every three years.

Standard: HSC, Section 25501(g) (3)

HSC, Section 25501(g)(3) states the UPAs have the responsibility and authority, to the extent provided by this chapter and Sections 25404.1 and 25404.2, to implement and enforce the regulations adopted to implement the requirements of this chapter listed in paragraphs (4) and (5) of subdivision (c) of Section 25404.

HSC, Section 25505(c)

Each handler shall, in any case, review the business plan, submitted pursuant to subdivision (a) or (b) at least once every three years thereafter after the initial submission of the business plan, to determine if a revision is needed and shall certify to the administering agency that the review was made and that any necessary changes were made to the plan. A copy of those changes shall be submitted to the administering agency as a part of that certification.

CUPA Response: The CUPA will enforce the requirement of a business to certify the review and update their entire business plan every three years.

Final Findings: The CUPA will ensure that each handler reviews the business plan, submitted pursuant to subdivision (a) or (b) at least once every three years after the initial submission to determine if a revision is needed and shall certify to the administering agency that the review was made and that any necessary changes were made to the plan. A copy of those changes shall be submitted to the administering agency as a part of that certification.

IV. C. Hazardous Materials Management Plans and Hazardous Materials Inventory Statement Program

Program Findings

- ☐ Meets or Exceeds Performance Standards
☒ Satisfactory With Some Improvement Needed
☐ Unsatisfactory With Improvement Needed

The Amador County Environmental Health Department CUPA has demonstrated satisfactory implementation of the Hazardous Materials Management Plans and Hazardous Materials Inventory Statement program element. Examples of CUPA implementation that meet or exceed performance standard requirements for this program element include: The CUPA meets monthly with the State and local agencies and invites local businesses in their HAZMAT Advisory Committee to discuss pertinent issues and provide vital information such as new technology, training opportunities, and future plans. While the CUPA has achieved a satisfactory rating, one or more performance standard requirements have yet to be fully implemented. A check mark in any performance standard listed below indicates the area where a deficiency has been identified. The deficiency identified during the evaluation is contained in the findings section below.

Program Summary

Report Findings

Enforcement
Reporting
Administrative

☐
☐
☒

Findings

Administrative Standards

- Deficiency:** The CUPA will ensure that each handler reviews the business plan, submitted pursuant to subdivision (a) or (b) at least once every three years after the initial submission to determine if a revision is needed and shall certify to the administering agency that the review was made and that any necessary changes were made to the plan. A copy of those changes shall be submitted to the administering agency as a part of that certification.

Standard: Title 19, Section 2729.5(a)(2) states that if no change in an inventory has occurred, a business subject to the hazardous materials reporting requirements may comply with the annual inventory reporting requirements of Section 2729.4 by submitting a certification statement to the CUPA or AA if all the following apply:

- (1) The business has previously filed the hazardous materials inventory pursuant to Section 2729.2 and 2729.3 requirements.
- (2) The business owner or officially designated representative signs and attests to these statements:
 - (A) The information contained in the hazardous materials inventory most recently submitted to the CUPA or AA is complete, accurate, and up to date.
 - (B) There has been no change in the quantity of hazardous materials reported in the most recently submitted inventory.
 - (C) No hazardous materials subject to inventory requirements are being handled that are not listed on the most recently submitted inventory.

The CUPA must thoroughly review all annual certification statements submitted by regulated businesses to ensure they contain the required statements and ensure that all businesses comply with this requirement.

CUPA Response: The CUPA will meet the requirements of the annual hazardous material inventory or certification statement reporting by including the inventory certification as part of the annual permit renewal and fee invoicing.

Final Findings: The CUPA must thoroughly review all annual certification statements submitted by regulated businesses to ensure they contain the required statements and ensure that all businesses comply with this requirement. The CUPA must correct this deficiency immediately.

IV. D. California Accidental Release Prevention Program

Program Findings

- ☐ Meets or Exceeds Performance Standards
- ☐ Satisfactory With Some Improvement Needed
- ☒ Unsatisfactory With Improvement Needed

The Amador County Environmental Health CUPA has not demonstrated satisfactory implementation of the California Accidental Release Prevention program element. The CUPA has failed to implement critical performance standard requirements for the California Accidental Release Prevention. A check mark in any performance standard listed below indicates the areas where deficiencies have been identified. The deficiencies identified during the evaluation are contained in the findings section below.

Program Summary

Report Findings

Self Audit	<input type="checkbox"/>
Administrative	<input checked="" type="checkbox"/>
Inspection	<input checked="" type="checkbox"/>
Enforcement	<input type="checkbox"/>
Reporting	<input type="checkbox"/>

Findings

Administrative Standards

1. **Deficiency:** The CUPA has not established a dispute resolution procedure.

Standard: Title 19, Section 2780.1 Dispute Resolution

- (a) Disputes arising between the owner or operator of a stationary source and an AA under this chapter shall first be decided by the AA pursuant to a dispute resolution process. Each AA shall establish procedures necessary to implement this dispute resolution process. These procedures shall:
 - (1) Provide that the owner or operator of a stationary source may initiate the dispute resolution process by serving the AA with prompt, written notice of a dispute;
 - (2) Identify the official(s) or other employee(s) of the AA who will resolve disputes arising under this Section;
 - (3) Set procedures and timetables for providing argument and supporting materials to the AA;

- (4) Require that the AA render a written decision within 120 days after the owner or operator of a stationary source initiates the dispute resolution process; and,
 - (5) Use the CUPA dispute resolution process, if the AA is also a CUPA, providing that such process is consistent with the criteria in (a)(1) through (4) above.
- (b) The owner or operator of a stationary source may appeal the decision of an AA to the Director of OES by serving the Director with written notice of appeal. The notice of appeal shall be accompanied by:
 - (1) A copy of the decision of the AA,
 - (2) A copy of any written material that the owner or operator submitted to the AA during the dispute resolution process that the stationary source would want the Director to consider, and,
 - (3) A concise statement of the grounds upon which the owner or operator disputes the decision rendered by the AA. The notice of appeal and accompanying materials shall be served on the Director and the AA by certified mail, return receipt requested. Such service shall be effected no later than 30 days after the AA renders its decision, or, if the AA fails to render a timely decision, no later than 150 days after the owner or operator initiated the dispute resolution process with the AA.
- (c) After receipt of the notice of appeal and accompanying materials, the Director shall provide a written acknowledgment of such receipt to the appealing party and the AA. At the time that the Director sends this acknowledgment, or at any later time, the Director, in his or her discretion, may request further materials, information or briefing from the stationary source or the AA, and the Director may set schedules for the submission of such materials, information or briefing. The Director shall also provide the opportunity for public comment on the dispute, and shall allow the stationary source and the AA the opportunity to respond to any comments submitted by the public.
- (d) Within 120 days after the service of the notice of appeal, or, if the Director requires additional time in order to deal with the submission of materials, information, briefing, public comments or responses to public comments, within such extended time as is set by the Director, the Director shall issue his or her decision. The dispute shall be resolved according to the discretion of the Director. The Director's decision shall be binding on all parties.
- (e) Exhaustion of this dispute resolution process shall not be a prerequisite to the initiation, prosecution or conclusion of any

criminal or civil enforcement action brought by the AA, the District Attorney or the State pursuant to Sections 25540, 25540.5, 25541, 25541.3, 25541.5 of HSC or any other provision of law.

Final Findings: The CUPA will establish procedures necessary to implement the dispute resolution process mandated by Title 19, Section 2780.1.

2. **Deficiency:** The CUPA is not fully implementing the CalARP Program for all stationary sources.

Standard: Title 19, Section 2780.2 Administering Agency Compliance states: Each AA shall comply with the regulations adopted in this chapter, unless OES assumes authority pursuant to Section 2780.6 (c)(1)(D)(ii).

CUPA Response: The CUPA will fully implement the CalARP Program for all stationary sources.

Final Findings: The CUPA will develop a mechanism to implement the CalARP Program for all stationary sources.

3. **Deficiency:** The CUPA has determined that stationary source(s) may pose an accident risk and has not requested the preparation and submission of all RMP(s).

Standard: Title 19, Section 2735.4 (a)(2) Applicability states:

(a) The requirements of this chapter apply to an owner or operator of a stationary source with more than a threshold quantity of a regulated substance in a process. Regulated substances are listed in three separate tables in Section 2770.5 of this chapter. An owner or operator of a stationary source shall comply with one of the following:

(2) If a stationary source has a process with more than a threshold quantity of a regulated substance as listed in Table 3 of Section 2770.5, and the AA makes a determination pursuant to Section 25534 of HSC that an RMP is required, the owner or operator shall comply with the appropriate provisions of this chapter pursuant to the time frame identified in Section 2745.1(d) or (e);

CUPA Response: The CUPA will request the preparation and submission of an RMP from all stationary sources that may pose an accidental risk.

Final Findings:

The CUPA will develop a mechanism so that when the CUPA determines stationary source(s) may pose an accident risk, the CUPA requests that

the owner/operator of these stationary sources prepare and submit an RMP.

4. **Deficiency:** The CUPA is not ensuring the owners/operators update their RMPs or OCA as required.

Standard: Title 19, Section 2745.10 (a) RMP Updates; states:

- (a) The owner or operator of a stationary source which has a regulated substance listed in Table 1 or Table 2 in Section 2770.5 in quantities greater than the corresponding thresholds listed in Table 1 or 2 shall review and update the RMP and submit it in a method and format to a central point specified by USEPA and to the AA as of the date of submission. The owner or operator of a stationary source shall revise and update the RMP submitted under Section 2745.1 as follows:
- (1) At least once every five years from the date of its initial submission or most recent update required by sections (a)(2) through (a)(7), whichever is later. For purposes of determining the date of initial submissions, RMPs submitted before June 21, 1999 are considered to have been submitted on June 21, 1999;
 - (2) No later than three years after a newly regulated substance is first listed by USEPA;
 - (3) No later than the date on which a new regulated substance is first present in an already covered process above a threshold quantity;
 - (4) No later than the date on which a regulated substance is first present above a threshold quantity in a new process;
 - (5) Within six months of a change that requires a revised PHA or hazard review;
 - (6) Within six months of a change that requires a revised offsite consequence analysis as provided in section 2750.7; and,
 - (7) Within six months of a change that alters the Program level that applied to any covered process.

CUPA Response: The CUPA will ensure that owner/operators update their RMP's or OCA as required.

Final Findings: The CUPA will develop a mechanism to ensure the owners/operators update their RMPs or OCA as required.

5. **Deficiency:** The CUPA is not verifying updates and revalidation to the PHA or Hazard review at least every three years.

Standard: Title 19, Section 2760.2 (f) Process Hazard Analysis [PHA] states: At least every five years after the completion of the initial PHA, the PHA shall be updated and revalidated by a team meeting the requirements in section (d), to assure that the PHA is consistent with the

current process. Notwithstanding section (c), updated and revalidated PHA[s] completed to comply with Section 5189 of Title 8 of CCR are acceptable to meet the requirements of this section.

CUPA Response: The CUPA will verify updates and validation of the PHA or Hazard review every three years.

Final Findings: The CUPA will develop a mechanism to ensure that at least every five years after the completion of the initial PHA for processes covered by Title 19, Division 2, Chapter 4.5, Article 6, the PHA is updated and revalidated as required, to assure that the PHA is consistent with the current process.

6. **Deficiency:** The CUPA is not verifying that the owner/operator has conducted a compliance audit at least every three years.

Standard: Title 19, Section 2755.6 Compliance Audits states:

- (a) The owner or operator shall certify that they have evaluated compliance with the provisions of this article at least every three years to verify that the procedures and practices developed under this chapter are adequate and are being followed.
- (b) The compliance audit shall be conducted by at least one person knowledgeable in the process.
- (c) The owner or operator shall develop a report of the audit findings.
- (d) The owner or operator shall promptly determine and document an appropriate response to each of the findings of the compliance audit and document that deficiencies have been corrected.
- (e) The owner or operator shall retain the two most recent compliance audit reports. This requirement does not apply to any compliance audit report that is more than five years old.

CUPA Response: The CUPA will verify that the owner/operator has conducted a compliance audit at least every three years.

Final Findings: The CUPA will develop a mechanism to verify that owner/operators certify that they have evaluated compliance with the provisions of Title 19, Division 2, Chapter 4.5, Article 5, at least every three years to verify that the procedures and practices developed are adequate and are being followed.

Inspection Standards

1. **Deficiency:** The CUPA is not auditing stationary sources

Standard: Title 19, Section 2775.2 (a) states: In addition to inspections for the purpose of regulatory development and enforcement of the federal CAA, the AA shall periodically audit RMPs submitted under Article 3 of this chapter to review the adequacy of such RMPs and require

revisions of RMPs when necessary to ensure compliance with Article 3 of this chapter. To the extent possible, any audit shall be fully coordinated with the Unified Program elements at a stationary source.

CUPA Response: The CUPA will audit stationary sources.

Final Findings: The CUPA will develop a mechanism to periodically audit RMPs submitted under Title 19, Division 2, Chapter 4.5, Article 3 to review the adequacy of such RMPs and require revisions of RMPs when necessary to ensure compliance with Article 3.

IV. E. Underground Storage Tank Program

Program Findings

- ☐ Meets or Exceeds Performance Standards
- ☒ Satisfactory With Some Improvement Needed
- ☐ Unsatisfactory With Improvement Needed

The Amador County Environmental Health CUPA has demonstrated satisfactory implementation of the Underground Storage Tank program element. Examples of CUPA implementation that meet or exceed performance standard requirements for this program element include: The CUPA inspector recommended to SWRCB UST Program Staff that steel anchor strapping be corrosion protected to prevent tanks from rising during excavation, Designated Operator(DO) forms were found in the file with the new CA UST System Operator Certification from the International Code Council included with the DO form, and CUPA inspectors during a recent field inspection required that Leak Line Detectors be installed and tested before signing off on compliance under the UST facilities permit. While the CUPA has achieved a satisfactory rating, one or more performance standard requirements have yet to be fully implemented. A check mark in any performance standard listed below indicates the area where deficiencies have been identified. The deficiencies identified during the evaluation are contained in the findings section below.

Program Summary

Report Findings

Permitting	<input checked="" type="checkbox"/>
Inspection	<input type="checkbox"/>
Enforcement	<input type="checkbox"/>
Reporting	<input type="checkbox"/>

Findings

Permitting Standards

1. **Deficiency:** The UST facility files reviewed either lacked plot plans, or the plot plans did not contain all the required elements. The plot plans were missing the location (tank, ATG, sump, UDC, monitoring panel, etc) of where the monitoring is performed.

Standard: Title 23, CCR, Subsections 2632(d)(1)(C) and 2641(h) state: "The location(s), as identified on a plot plan, where the monitoring will be performed." Appendix VI states, in part: On your site plan, show the general layout of tanks and piping. Clearly identify locations of the following equipment, if installed: monitoring system control panels; sensors, monitoring tank annular space, sumps, dispenser pans, spill containers; or other secondary containment areas; mechanical or

electronic line leak detectors; and in-tank liquid level probes (if used for leak detection).

CUPA Response: UST plot plan requirements will be modified to include location of all leak detection monitoring equipment. Plot plans will be updated during the annual UST inspections and will be completed with one year.

Final Findings: The CUPA has responded appropriately to this deficiency. We find the CUPA's response sufficient and consider this deficiency corrected. No further action is required.

2. **Deficiency:** The UST operating permit does not have a statement that the operating permits, including the monitoring, response, and facility plot plans are to be maintained on site.

Standard: Title 23, CCR, Subsections 2712(i): "A copy of the permit conditions and attachments, including monitoring plan, shall be retained at the facility."

CUPA Response: The UST operating permit will be modified to include a statement that the operating permit, including the monitoring, response, and facility plot plans are to be maintained on site. The CUPA submitted a new permit template including the above statement on May 12, 2005 to the SWRCB and used this permit format in a UST permit recently issued.

Final Findings: The CUPA has responded appropriately to this deficiency. With the understanding that the CUPA will update all permits with the revised format, we find the CUPA's response sufficient and consider this deficiency corrected. No additional action is required.

IV. F. Aboveground Storage Tank Program

Program Findings

- ☒ Meets or Exceeds Performance Standards
- ☐ Satisfactory With Some Improvement Needed
- ☐ Unsatisfactory With Improvement Needed

The Amador County Environmental Health Department CUPA has demonstrated satisfactory implementation of the Aboveground Storage Tank program element. No deficiencies were identified during this evaluation in this program element.

IV. G. Hazardous Waste Generator/Tiered Permitting Program

Program Findings

- ☐ Meets or Exceeds Performance Standards
- ☒ Satisfactory With Some Improvement Needed
- ☐ Unsatisfactory With Improvement Needed

The Amador County Environmental Health Department CUPA has demonstrated satisfactory implementation of the Hazardous Waste Generator/Tiered Permitting program element. Examples of CUPA implementation that meet or exceed performance standard requirements for this program element include: The Amador County Environmental Health Department has established a permanent household hazardous waste collection center which shall greatly aid in diverting household hazardous waste from the municipal landfills. While the CUPA has achieved a satisfactory rating, one or more performance standard requirements have yet to be fully implemented. A check mark in any performance standard listed below indicates the areas where deficiencies have been identified. The deficiencies identified during the evaluation are contained in the findings section below.

Program Summary

Report Findings

Permitting	<input type="checkbox"/>
Inspection	<input checked="" type="checkbox"/>
Enforcement	<input type="checkbox"/>
Reporting	<input type="checkbox"/>

Findings

Inspection Standards

1. **Deficiency:** The CUPA has not conducted any inspections of hazardous waste generators within its jurisdiction over the past triennial cycle. While 51 hazardous waste generators have been identified by the CUPA, none have been inspected as indicated by the last three annual inspection summary reports submitted, which are the following:
 - 1) 49 hazardous waste generators were identified in Fiscal Year 01/02 and none were inspected,
 - 2) 51 hazardous waste generators were identified in Fiscal Year 02/03 and none were inspected, and
 - 3) 51 hazardous waste generators were identified in Fiscal Year 03/04 and none were inspected.

Over the past three years, personnel have been redirected to other assigned duties. What inspections that have been conducted have been for the most part to ensure compliance with the Hazardous Materials

Business Plan Program and not the Hazardous Waste Generator Program. While there is documentation in the files supporting that some businesses have submitted their Hazardous Materials Business Plans, no inspection reports and/or checklists could be located for those same businesses demonstrating that Hazardous Waste Inspections had also been completed. The following files were reviewed:

- 1) Pacific Gas & Electric
12626 Jackson Gate Road
Jackson, CA
- 2) East Bay Municipal Utility District
Camanche North Shore
2000 Camanche Road
Ione, CA
- 3) Amador High School
330 Spanish Street.
Sutter Creek, CA
- 4) North American Refractories
8631 State Highway 124
Ione, CA.

The CUPA was unable to provide examples of routine hazardous waste generator inspection reports that had been completed by 02/04/2005. Some complaint response work has been done.

In addition, the CUPA has identified only 51 active hazardous waste generators as existing within its jurisdiction. This falls far short of the 142 active generators identified in the DTSC Hazardous Waste Tracking System.

Standard: T27, CCR, sections 15200(b)(1) and 15200(f)(1)(C) and Title 27, CCR, section 15200(a) requires the CUPA to include a Unified Inspection and Enforcement Program which will be implemented according to the Inspection and Enforcement Plan. Title 27, CCR, section 15200(f)(1)(B-C) states that the Plan shall include a schedule of the frequency of inspections to be conducted, and that if there is no mandated inspection frequency, that a series of factors shall be considered in setting a frequency.

CUPA Response: The CUPA will begin conducting, documenting, and completing all of its hazardous waste generator inspections within its jurisdiction at least every three years in coordination with inspections with other CUPA programs. Current technical staff will be trained in CESQG, MQG, and LQG hazardous waste requirements as training becomes available. The CUPA will expand the known universe of hazardous waste generators to include farms and small businesses, which generate hazardous wastes at below threshold quantities requiring the submittal of a HMBP. The Department of Toxics Substances Controls Hazardous Waste Tracking System will be accessed to determine hazardous waste

profiles and generator status for regulated facilities and to identify unregulated hazardous waste generators.

Final Findings: DTSC accepts the CUPA's response to the deficiency as adequate. The CUPA will ensure the inspections are documented on the annual Summary Reports.

2. **Deficiency:** The CUPA did not provide a summary of violations/notice to comply to the business at the end of the oversight inspection during the date of inspection.

Standard: HSC Section 25185(c)(1) states at the conclusion of the inspection, the inspector shall deliver to the operator of the facility or site a written summary of all violations alleged by the inspector. The inspector shall, prior to leaving the facility or site, deliver the written summary to the operator and shall discuss any questions or observations that the operator might have concerning the inspection.

HSC Section 25187.8 (a) states an authorized representative of the department or local officer or agency authorized to enforce this chapter pursuant to subdivision (a) of Section 25180, who in the course of conducting an inspection of a facility, detects a minor violation of any permit conditions, rule, regulation, standard, or other requirement, shall issue a notice to comply before leaving the site in which the minor violation is alleged to have occurred.

CUPA Response: Per April 18, 2005 telephone conversation, Mr. Robert Fourt, CUPA Program Manager, relayed that the CUPA will begin to implement the policy of providing each business with a summary of violation/notice to comply when violations are discovered at the conclusion of each inspection during the day of inspection.

Final Response: DTSC accepts the CUPA's response to the deficiency as adequate.

V. State Agency Notes

Office of the State Fire Marshall (OSFM)

The OSFM is providing the following recommendations to address areas of program implementation that are not strictly supported by statute or regulation. These are given to promote the CUPA's continuous improvement and development of the Unified Program.

1. **Observation:** The Amador County Fire Protection District Fire Chief, Jim McCart indicated that they receive business plans from the CUPA; there was little or no coordination between the CUPA and fire agencies. Mr. Fourt contraindicated that there was a monthly HAZMAT Advisory Committee Meeting and handed a copy of the minutes of their January 19, 2005 meeting.

Recommendation: The CUPA should take a proactive role in coordinating and passing information to all fire and interested agencies and encourage them to actively participate in these meetings.

State Water Resources Control Board (SWRCB)

The SWRCB is providing the following recommendations to address areas of program implementation that are not strictly supported by statute or regulation. These are given to promote the CUPA's continuous improvement and development of the Unified Program.

1. **Observations:** Three agency files reviewed did not contain documents required to verify facility compliance. Files were missing one or more of the following: current operating permit, updated Financial Responsibility document, permit transfer form, and complete UST application tank forms.

Recommendation: The SWRCB strongly encourages the agency to develop a file review checklist to ensure that all required documents are located in the file. This will help agency inspectors to conduct thorough inspection and verify that facility owners/operators are submitting the required information and that clerical staff know what needs to be kept in the files.

2. **Observations:** At the time of the UST facility inspection the CUPA staff does not usually ask the contractor to test the UST overfill spill bucket and assumed that were tested annually by the UST Owner/operator.

Recommendation: The SWRCB strongly encourages the agency to add overfill spill bucket testing to the agency's inspection checklist, and recommends that the owner/operator test the overfill spill buckets at the time of the annual monitoring equipment certification. This will save

agency inspectors time, and ensures that the overfill spill buckets are tested annually as required.

3. **Observations:** The inspector inadvertently neglected to document in his 02/03/05 inspection report that consent had been granted by the owner/operator to enter his place of business to conduct a hazardous waste generator inspection.

Recommendation: The SWRCB strongly encourages the agency to document that the facility operator has granted consent to the agency inspector to access and inspect his facility. Consent only serves to strengthen any potential enforcement case defeating any potential challenge that the 4th amendment may have been abridged

Department of Toxic Substances Control (DTSC)

DTSC is providing the following recommendations to address areas of program implementation that are not strictly supported by statute or regulation. These are given to promote the CUPA's continuous improvement and development of the Unified Program.

1. **Observations:** The inspector inadvertently neglected to document in his 02/03/05 inspection report that consent had been granted by the owner/operator to enter his place of business to conduct a hazardous waste generator inspection.

Recommendation: Documentation of consent only serves to strengthen any potential enforcement case defeating any potential challenge that the 4th amendment may have been abridged.

2. **Observations:** The inspector needs to acquaint himself with the different storage time requirements for a CESQG, SQG, and LQG.

Recommendation: The inspector needs to become more familiar with the checklist employed.

3. **Observations:** The CUPA has not accessed the Hazardous Waste Tracking System of DTSC, which would have enabled the CUPA to determine the present number of facilities within its jurisdiction and to review their manifests before conducting a hazardous waste generator inspection.

Recommendation: Begin accessing the DTSC Hazardous Waste Tracking System for future generator inspections to determine waste profiles and generation status from previous manifests sent. In addition, review the print out provided to the Amador County Health Department listing active facilities within its jurisdiction that have applied for permanent EPA ID numbers and compare it to your own database. A

discrepancy exists between the state's database indicating 142 facilities and the Environmental Health Department's database indicating 51 facilities.

4. **Observations:** The Pacific Gas & Electric inspection report reviewed lack a detailed narrative for the facility inspected.

Recommendation: Develop the narrative portion of the inspection report so that a reviewer of the report may gain an insight into the type of historical operation occurring out at the site.

EXAMPLES OF OUTSTANDING PROGRAM IMPLEMENTATION

1. The CUPA is using web technology to provide service to local businesses and has well defined links to their program on the Environmental Health web site.
2. The CUPA meets monthly with state and other agencies and invites local businesses in their HAZMAT Advisory Committee to discuss pertinent issues and provide vital information such as new technology, training opportunities and future plans.
3. The CUPA has very good fee collection rates for the CUPA Program. Examples are: Single Fee collection between 98-99%, UST between 94-100%, and CalArp at 100% rates within the last 3 years.
4. The Amador County Environmental Health Department has established a permanent household hazardous waste collection center which will greatly aid in diverting household hazardous waste from the municipal landfills.

VI. Conclusion

The Amador County Environmental Health CUPA does not meet performance standards for implementation of the Unified Program. Deficiencies were identified in the self-audit, administrative, permitting, inspection, enforcement, and reporting. The CUPA submitted a response to the summary of findings, which was left by the evaluation team at the conclusion of the evaluation. The responses included statements, but did not include documentation that demonstrated that all deficiencies are being addressed or have been corrected. DTSC and the SWRCB are both satisfied with the CUPA response to the findings at the evaluation. However, Cal/EPA, OES and OSFM reviewed the CUPA's response and have determined that all deficiencies have not been adequately addressed or corrected by the CUPA at this time. The Cal/EPA Evaluation Team Leader, Tina Gonzales, will continue to coordinate all follow-up actions with the CUPA, as necessary.

The CUPA Evaluation Team compliments the Amador County Environmental Health staff for their continued commitment to protecting public health and safety, and the environment, and would like to thank them for accommodating the evaluation process. Cal/EPA, DTSC, SWRCB, OES, and OSFM look forward to working with Amador County Environmental Health CUPA to continue to enhance the implementation of the Unified Program.